THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.9401 of 1996

ORAL ORDER:

According to the petitioner, he was appointed as Record Assistant in Sri Adikesava Embaramanar Swamy Temple, Narsapur w.e.f. 22.4.1989. Immediately, thereafter on 16.11.1989, he was transferred to Gollapudi Group of Temples in Krishna District. The post of Record Assistant was upgraded as Junior Assistant w.e.f. 31.8.1994 and he was absorbed in the said vacancy as Junior Assistant. However, through impugned order dated 4.12.1995, petitioner was sought to be reverted back to the post of Record Assistant without assigning any reasons. Hence the writ petition.

It is the contention of the learned counsel for petitioner that no notice of any kind was issued to the petitioner before passing the impugned order. Apart from that, the competent authority to revert the petitioner is the Trustee of the Temple and not the Executive Officer.

This Court, while admitting the writ petition on 12.11.1996, granted interim suspension of the impugned order and thereafter, the same was made absolute on 6.8.1999. The petitioner is being continued in service as Junior Assistant for more than 10 years.

Therefore, without expressing any opinion on merits, I am of the view that if the respondents still wants to revert the petitioner from the post of Junior Assistant to that of Record Assistant, at this length of time, if situation requires such an action to be taken, they may do so, after putting the petitioner on notice. Till such time, the impugned order dated 4.12.1995 shall not be given effect to.

With the above direction, the writ petition is disposed of. No order as to costs.

C.V.RAMULU,
J

Date: 28.11.2006

DA

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.9401 of 1996

28.11.2006

IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.9401 of 1996

Date: 28th November, 2006

Between:

Ch.Hema Sundar

.. Petitioner

And

The Assistant Commissioner of
Endowments Department,
Opp: Old Bus Stand lane,
Vijayawada, Krishna district & another.

.. Respondents